

IN THE DISTRICT COURT OF THE VIRGIN ISLAND  
DIVISION OF ST. CROIX

ATLANTIC BASIN REFINING, INC.

PLAINTIFF,

VS.

CASE NO.: 1:15-cv-00071

ARCLIGHT CAPITAL PARTNERS, LLC  
AND JP ENERGY PARTNERS, LP,

DEFENDANTS.

ABR'S RESPONSE TO DEFENDANTS' MOTION FOR LEAVE  
TO FILE RESPONSE TO ABR'S NOTICE OF SUPPLEMENTAL AUTHORITY

Atlantic Basin Refining, Inc. ("ABR") filed a notice of supplemental authority that, without argument, identified the relationship of the authority (*Harrington v. Purdue Pharma L. P.*, Case No. 23-124, –U.S. –, 2024 WL 3187799 (June 27, 2024)) to the instant case. Defendants now move to respond to that notice of supplemental authority and attached their proposed argument as to why they believe *Harrington* is not applicable. Notwithstanding Defendants' non-compliance with the Local Rules,<sup>1</sup> ABR has no objection to the Court accepting Defendants' proposed response provided ABR is given leave to reply to same.

---

<sup>1</sup> LRCi 7.1(f) requires a movant to seek concurrence from each party before filing a non-dispositive motion. Had Defendants sought such concurrence, ABR would have concurred to Defendants filing a response provided that they agreed that ABR could file a reply

Respectfully submitted,

Atlantic Basin Refining, Inc.

**Dated:** July 24, 2024

/s/ Andrew C. Simpson  
By: Andrew C. Simpson, Esq.  
VI Bar No. 451  
**ANDREW C. SIMPSON, P.C.**  
2191 Church Street, Suite 5  
Christiansted, VI 00820  
Tel: 340.719.3900  
[asimpson@coralbrief.com](mailto:asimpson@coralbrief.com)

Joseph P. Klock, Jr., Esq.  
FBN 156678 (admitted PHV)  
**RASCO KLOCK PEREZ NIETO**  
2555 Ponce De Leon Blvd., Suite 600  
Coral Gables, Florida 33134  
Telephone: 305.476.7105  
Facsimile: 305.675.7707  
[Jklock@rascoklock.com](mailto:Jklock@rascoklock.com)

Attorneys for Plaintiff, Atlantic Basin  
Refinery, Inc.